

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CALVIN KAWAMURA and JEANIE
KAWAMURA,
Plaintiffs,
vs.
BOYD GAMING CORPORATION, *et al.*,
Defendants.)
Case No. 2:13-cv-00203-JCM-GWF
ORDER

This matter is before the Court on Defendants' Motion to Compel (#134), filed on May 13, 2014; Defendants' Motion to Quash Subpoenas and Depositions (#142), filed on May 27, 2014; Defendants' Motion to Strike/Exclude Ken Braunstein as Plaintiffs' Expert Witness (#144), filed on May 29, 2014; Plaintiffs' Cross-Motion to Amend Discovery Plan (#146), filed on May 29, 2014; Plaintiffs' Motion to Quash Subpoena and for Protective Order Regarding Ken Braunstein (#148), filed on May 30, 2014; and Defendants' Motion for an Order Limiting Electronic Access to or Prohibiting Electronic Filing of Certain Specifically Identified Materials (#152), filed on June 5, 2014. The Court conducted a hearing on these motions on August 8, 2014 in which it resolved the motions on the record. This order hereby confirms the Court's rulings on the foregoing motions.

In regard to Defendants' Motion to Compel (#134), the Court ordered that Plaintiffs supplement its responses to Defendants' requests for production of documents by identifying the bates numbers of the documents produced by Plaintiffs that correspond to particular requests served by Defendants.

In regard to Docket Nos. 142, 144, 146, and 148, the Court resolved the issues raised in those motions by ordering that the parties may depose the opposing parties' security expert

1 witnesses, Ken Braunstein and Robert Gardner. The Court further ordered that Plaintiffs may take
2 the depositions of Plaintiff's treating physicians, Dr. Leon Liem and Dr. Owen Nishikawa in
3 Hawaii. The parties may stipulate to conduct the depositions by telephone or video-conferencing
4 technology. The Court denied Plaintiffs' motion to depose Defendants' employee John Hamilton
5 or to conduct further Rule 30(b)(6) depositions. The Court denied the parties' requests for fees and
6 costs, or other sanctions against the opposing parties.

7 Finally, the Court granted Defendants' Motion for an Order Limiting Electronic Access to
8 or Prohibiting Electronic Filing of Certain Specifically Identified Materials (#152). Accordingly,

9 **IT IS HEREBY ORDERED** that Defendants' Motion to Compel (#134); Defendants'
10 Motion to Quash Subpoenas and Depositions (#142); Defendants' Motion to Strike/Exclude Ken
11 Braunstein as Plaintiffs' Expert Witness (#144); Plaintiffs' Cross-Motion to Amend Discovery Plan
12 (#146); Plaintiffs' Motion to Quash Subpoena and for Protective Order Regarding Ken Braunstein
13 (#148); and Defendants' Motion for an Order Limiting Electronic Access to or Prohibiting
14 Electronic Filing of Certain Specifically Identified Materials (#152) are **granted**, in part, and
15 **denied**, in part, in accordance with the Court's decision on the record at the hearing and as
16 summarized above.

17 **IT IS FURTHER ORDERED** that the parties are to complete the depositions of Dr. Leon
18 Liem and Dr. Owen Nishikawa by October 8, 2014. The Court shall set a deadline for completing
19 the depositions of the parties' security expert witnesses once the parties determine what additional
20 time is required for the experts to review records produced pursuant to Order (#184) and to
21 supplement their opinions based thereon.

22 DATED this 13th day of August, 2014.

23
24 
25 GEORGE FOLEY, JR.
United States Magistrate Judge
26
27
28